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26 May 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Executive Orders and Bills Concerning Management of  
Advisory Committees

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1. A meeting was held today to discuss a proposed Executive Order and pending legislation establishing a system to manage advisory committees in the Federal Government. Present were [REDACTED] OPPB; [REDACTED]

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[REDACTED] DDS; [REDACTED] DDI; [REDACTED] OLC (Chairman), and the undersigned. Discussion included the existing E. O. 11007, the proposed Executive order, H. R. 4383, S. 3529, and S. 1637.

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2. Concerning present procedures, [REDACTED] noted that the USIB Secretariat prepares a listing of USIB committees for OPPB which is furnished to the International Division of OMB. This appears to be the extent of reporting requirements to OMB on Agency advisory committees. The Proposed Executive Order and bills could create problems by requiring disclosure of information concerning the President's Intelligence Advisory Board, the newly established NSC Intelligence Committee structure, and outside advisory groups and panels. [REDACTED] noted that NSA has a number of outside advisory committees which would be affected. [REDACTED] will call [REDACTED] General Counsel, NSA and alert them. All agreed that Sec. 15 of the Proposed Order, providing that no provision of the order is to be inconsistent with existing statutes, could be used to avoid the troublesome aspects, based on the National Security Act of 1947 and the CIA Act of 1949. The affect of H. R. 4383 and S. 3529 upon intelligence activities was considered most serious. Though the bills recognize denial of public disclosure of classified information under the Freedom of Information Act, the consensus was a total exemption for intelligence activities as contained in S. 1637 should be sought. The exemption was considered most necessary because the bills (and for that matter

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the Proposed Order) involve not only a problem of protecting classified information, but also the external control and management by OMB and the Legislative Branch of intelligence advisory committee functions.

3. It was agreed that OLC will prepare a recommended Agency position to the Proposed Executive Order and bills which will be coordinated for approval. Subsequent to the meeting, Mr. [REDACTED] called to advise that last year, OPPB, with approval of Col. White, submitted to OMB an Agency position to an Executive Order on advisory committees similar to the present Proposed Order. That position will be reviewed and related to the present Executive Order.

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[REDACTED]  
Assistant Legislative Counsel

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